IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17816 of 1999

Between:

1. M/s Virat Crane Bottling Limited, Hyderabad, rep. By its General Manager, P.Vijaya Kumar

2. M/s Wisdom Associates, Guntur, rep. By its Managing Partner, M.Koteswara Rao

3. M/s Annam Associates, Vissa Koderupalem,
Wst godavari District rep. By its Managing Partner A.V.S.V.Prasad

4. M/s Thanmai Mineral Water Enterprises, Narasaraopet, Guntur District
Rep. By its Managing Partner, V.Subba Rao

5. M/s Suresh Bottling Company, Chirala,
Prakasam District, rep. By its Managing Partner B.Sulochana

.....
PETITIONERS

AND

The Chief Commercial Manager, South Central Railway, Railnilayam, Secunderabad-17.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order of direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the respondent herein in stipulating impossible conditions in the tender notice bearing No.C.101/F/Mineral Water,

dated 09-07-1999 as arbitrary, unjust and void and to set aside the said tender notice and consequently direct the respondent herein to issue fresh tender notice for supply of mineral water and to pass such other or further order.

Counsel for the Petitioner:Sri.N.SIVA REDDY

Counsel for the Respondent: Sri M.D.SRINIVAS

The Court made the following Order:

South Central Railway, Secunderabad invited tenders from the manufacturers for supply of mineral water in bottles and pouches for resale in its departmental units for a period of one year from the date of awarding the contract dated 19-08-1999, which is the subject matter of challenge in the present writ petition.

It is well settled that tender conditions cannot be a subject matter of judicial review. More so, the contract is for a period of one year from the date of awarding contract, which is already expired.

In view of the same, no cause survives in the writ petition and it is accordingly dismissed. No costs.

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

To

1. The Chief Commercial Manager, South Central Railway, Railnilayam, Secunderabad.
2. Two C.D. Copies.